

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENNETH OMAR SAUNDERS, )  
Petitioner, )  
 )  
v. ) Civil Action No. 07-45  
 )  
JAMES L. GRACE, et al., )  
Respondents. )

O R D E R

AND NOW, this <sup>30<sup>th</sup> day of May 2007, after a petition for a writ of habeas corpus was filed by the petitioner, Kenneth Omar Saunders, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the petitioner was granted until May 29, 2007 to file written objections thereto, and upon consideration of the petitioner's "answer to objections", treated as objections, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,</sup>

IT IS ORDERED that the petition of Kenneth Omar Saunders for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied for lack of a viable federal constitutional claim.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.

Noel Harry Fosher  
United States District Judge